**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928**

**WP(C).No. 1818 of 2005(N)**

---

**PETITIONERS:**

---

1. **M/S. COCHIN SECURITY PRESS PRIVATE LIMITED, BAVA MEMORIAL ROAD, ERNAKULAM KOCHI 682 035, REPRESENTED BY ITS MANAGING DIRECTOR SHRI.V.M.SIDDIQUE, S/O. LATE MOHAMMED, AGED 32 YEARS.**

2. **M/S. VALIYARA COMPUTERS PVT.LTD., DESABHIMANI ROAD, ERNAKULAM, COCHIN REPRESENTED BY ITS MANAGING DIRECTOR SMT.MYMOONATH BEEVI, W/O. LATE MOHAMMED.**

**BY ADV. SRI.P.GOPINATH**
**SRI.HARIHARAN NAIR**

**RESPONDENTS:**

---

**KERALA STATE BEVERAGES (MANUFACTURING AND MARKETING) CORPORATION, P.B.NO.2263, SASTHAKRIPA OFFICE COMPLEX SASTHAMANGALAM, THIRUVANANTHAPURAM 695 010, REPRESENTED BY ITS MANAGING DIRECTOR.**

**BY ADV. SRI.K.P.DANDAPANI**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**W.P.(C) NO.1818/2005**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1:- COPY OF THE LETTER DT.24.6.04 FROM THE RESPONDENT CORPORATION TO THE 1ST PETITIONER.**

**EXT.P2:- COPY OF THE LETTER DT.24.6.04 FROM THE RESPONDENT CORPORATION TO THE 2ND PETITIONER.**

**EXT.P3:- COPY OF THE GENERAL CONDITIONS OF THE CONTRACT SUBJECT TO WHICH THE PETITIONERS HAD TO EXECUTE NECESSARY AGREMENTS WITH THE CORPORATION.**

**EXT.P4:- COPY OF THE LETTER DT.28.7.04 BY THE 1ST PETITIONER TO THE RESPONDENT CORPORATION.**

**EXT.P5:- COPY OF THE LETTER DT. 28.7.04 BY THE 2ND PETITIONER TO THE RESPONDENT CORPORATION.**

**EXT.P6:- COPY OF THE LETTER DT.19.8.04 ADDRESSED TO THE 1ST PETITIONER BY THE RESPONDENT CORPORATION.**

**EXT.P7:- COPY OF THE LETTER DT.19.8.04 ISSUED TO THE 2ND PETITIONER BY THE RESPONDENT CORPORATION.**

**EXT.P8:- COPY OF THE LETTER DT.6.9.04 ADDRESSED TO THE CORPORATION BY THE 1ST PETITIONER.**

**EXT.P9:- COPY OF THE LETTER DT.6.9.04 ADDRESSED TO THE CORPORATION BY THE 2ND PETITIONER.**

**EXT.P10:- COPY OF THE LETTER DT.7.12.04 ADDRESSED TO THE 1ST PETITIONER BY THE RESPONDENT CORPORATION.**

**EXT.P11:- COPY OF THE LETTER DT.7.12.04 ADDRESSED TO THE 1ST PETITIONER BY THE RESPONDENT CORPORATION.**

**RESPONDENTS EXHIBITS**

**EXT.R1(1):- COPY OF THE LETTER DT.31.5.04 OF THE 2ND PETITIONER TO THE RESPONDENT.**

**EXT.R2(2):- COPY OF THE LETTER DT.31.5.04 OF THE 1ST PETITIONER TO THE RESPONDENT.**

**EXT.R(3):- COPY OF THE LETTER DT.28.7.04 OF THE 1ST PETITIONER TO THE RESPONDENT.**

**EXT.R2(4):- COPY OF THE LETTER DT.28.7.04 OF THE 1ST PETITIONER TO THE RESPONDENT.**

**EXT.R1(5):- COPY OF THE AGREEMENT EXECUTED BY THE 1XST PETITIONER WITH GOVERNMENT OF KERALA, DT.30.4.04.**

**EXT.PR1(6):- COPY OF THE AGREEMENT EXECUTED BY THE 2ND PETITIONER WITH THE GOVERNMENT OF KERALA ON 30.4.04.**

**/TRUE COPY/**

**KURIAN JOSEPH, J.**

**----------**

**W.P.(C) No.1818 of 2005**

**----------**

**Dated this the 16th day of March, 2007.**

**JUDGMENT**

The challenge is to Exts.P10 and P11 proceedings initiated at the instance of the respondent Corporation. The issue pertains to the steps taken by the Corporation for cancellation of the registration and the consequential action by the Government. According to the petitioners, had the Corporation duly considered Exts.P8 and P9 with notice to the petitioners, they would have satisfied the Corporation that there is no laches on their part warranting the proposed action. It is submitted that in case an opportunity is given, the petitioners would be in a position to substantiate their contentions.

2. After having heard learned counsel for the petitioners and Mr.K.P.Dandapani (Sr.), learned standing counsel appearing for the respondent Corporation, I am of the view that the matter requires reconsideration adverting to the contentions taken by the petitioners in Exts.P8 and P9 replies submitted by them. Accordingly, without expressing any opinion on the merits of the case, I quash Exts.P10 and P11 with a direction to the

respondent to consider the matter afresh with notice to the petitioners, adverting to the contentions taken in the replies Exts.P8 and P9, and pass appropriate orders within a period of three months from the date of production of a copy of this judgment. The interim order passed by this Court on 18.1.2005 will continue till such time.

The writ petition is disposed of as above.

**KURIAN JOSEPH, JUDGE**

**vns**